

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

SWD – Visakhapatnam District – Ratification of action of District Collector, Visakhapatnam District for payment decretal charges of an amount of Rs.11,20,800/- in different spells and also release of an amount of Rs.3,65,536.51 for acquisition of land to an extent of Ac.9.83 cents in Sy.No.76 and 77 of Ankupalem (V), Chodavaram (M) for house sites to weaker sections in OP No.43/84 - Permission accorded - Orders - Issued.

SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No. 196

Dated.17-1-2009.
Read the following

- 1.From the Commissioner of Social Welfare, AP, Hyderabad Letter Rc.No. LA.3/398/06, Dated.4-2-2006.
- 2.Govt Memo.No.1022/LA1./2006-1, SW Dept., dt.18-4-2006.
- 3.From the District Collector, Visakhapatnam Lr.Rc.No.296/1983 / E2/SW, dated.25-4-2006.
- 4.Govt Memo.No.1022/LA1./2006-4, SW Dept., dt.25-1-2007.
- 5.Govt Memo.No.2572/LA1./2005-4, SW Dept., dt.2-5-2007.
- 6.From the Commissioner of Social Welfare, AP, Hyderabad Lr.Rc.No.LA3/398/2005, dated.31-3-2008.
- 7.Govt Memo.No.1022/LA1./2006-6, SW Dept., dt.29-7-2008.
- 8.Govt. Memo.No.12435/LA.1/2003-6, SW (LA) Dept.,Dated.20-6-2008.
- 9.From the District Collector, Visakhapatnam, Letter Rc.No.296/1983/E2/SW, dated.14-11-2008.

ORDER :

In the letters 1st and 6th read above the Commissioner of Social Welfare, Andhra Pradesh, Hyderabad, has furnished the proposal of the District Collector, Visakhapatnam, for ratification of the action of District Collector, Visakhapatnam District for payment of decretal charges of an amount of Rs.11,20,800/- in different spells and also release of an amount of Rs.3,65,536.51 for acquisition of land to an extent of Ac.9.83 cents in Sy.No.76 and 77 of Ankupalem (V), Chodavaram (M) for house sites to weaker sections in OP No.43/84, to comply with the court orders.

2. The brief facts of the case as stated by the Commissioner of Social Welfare, AP, Hyderabad are that the Land Acquisition Officer acquired the land to an extent of Ac.9.83 Cents, in Sy.No.76 and 77 of Ankupalem (V) Chodavaram (M). for providing house sites to weaker section people. The LAO fixed the market value as Rs.8,510/- per acre vide his Award, dated.12.12.83. The Subordinate Judge Court, Chodavaram in its orders dt.5.3.88 in OP.No.43/88 enhanced the compensation from Rs.8,510/- to Rs.37,500/- per acre. On the advise of the AGP, Chodavaram an appeal was preferred before the Hon'ble High Court in AS No.2263/1981. During the pendency of Appeal, an amount of Rs.4,22,632-22 ps. was deposited on 8.6.1989 before the lower court. The Hon'ble High Court, A.P., Hyderabad in its order dt.14.8.1996 in A.S.No.2263/81 dismissed the Appeal and directed to restore the EPS 92/99, 93/99 and 94/99 in O.P.No.43/84 and directed the Sr. Civil Judge, Chodavaram to decide the matter afresh in accordance with law laid down by the Apex court in Sundar Vs Union of India (2001 (7) Supreme 27), after receiving fresh calculation memos. from the parties. The Senior Civil Judge, Chodavaram passed orders on 6.12.2005 for payment of balance amount in E.P.Nos.92/99, 93/99 and 94/99 in O.P.No.43/84. Accordingly the following amounts have been deposited in the Court on different dates as detailed below:

Part amount Deposited as per Court Orders	Amount Deposited Rs.
08-06-1989	4,22,632/-
20-12-2005	3,15,058/-
21-4-2006	99,085/-
16-8-2007	2,35,728/-
14-2-2008	48,297/-
Total	11,20,800/-

(PTO)

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3. The District Collector, Visakhapatnam has requested to the Government to release the balance decretal charges of Rs.3,65,536/- duly ratifying the action in payment of decretal charges since the court has issued attachment orders in EP Nos.92/99, 93/99, 94/99 of OP No.43/84.

4. After careful examination of the matter Government hereby accord permission to the Commissioner of Social Welfare, AP, Hyderabad for release of an amount of Rs.3,65,536.51 (Rupees three lakhs sixty five thousands, five hundred and thirtysix and paise fifty one only) to the District Collector, Visakhapatnam District and also ratify the action in payment of Rs.11,20,800/- in different spells towards acquisition of land to an extent of Ac.9.83 cents in Sy.No.76 and 77 of Ankupalem (V), Chodavaram (M) for house sites to weaker sections in OP No.43/84, to comply with the court orders.

5. The expenditure sanctioned in para (4) above shall be debited to "2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01 Welfare of Scheduled Castes – M.H.283- Housing – GH.11- Normal State Plan – SH (08) – Acquisition of House Sites to weaker sections under INDIRAMMA Programme – 310 – Grants-in-aid 312 – Other Grants-in-aid" and shall be met from the provision available in the Budget Estimates 2008-09.

6. The Commissioner of Social Welfare, Hyderabad, is requested to issue necessary proceedings to the District Collector, Visakhapatnam District to deposit the amount sanctioned above to comply with the orders of the Court.

7. The District Collector, Visakhapatnam District, is requested to verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. This order issues with the concurrence of Finance (Exp.SW) Department vide their U.O.No.3263/45/A1/Expr.SW/09, Dated.28-2-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare, Andhra Pradesh, Hyderabad.
The District Collector, Visakhapatnam District.

Copy to :

The Director of Treasuries and Accounts, A.P. Hyderabad.
The Pay and Accounts Officer, Hyderabad.
The Accountant General, A.P, Hyderabad.
The District Treasury Officer, Visakhapatnam District.
Finance (Exp.SW) /(BG) Department.
Sf/sc

//FORWARDED::BY ORDER//

SECTION OFFICER